

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

AUDREY BELL,

Plaintiff,

v.

C.A. NO.: 3:10-cv-1945

ABLE SECURITY & INVESTIGATIONS, INC.  
and WALTER ROBERTS,

Defendants.

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**PLAINTIFF'S MOTION FOR EXTENSION OF TIME**  
**TO SERVE DEFENDANTS**

Plaintiff, **Audrey Bell**, by and through his undersigned counsel, moves for an extension of time to serve Defendants, and in support thereof states as follows:

On September 28, 2010, Plaintiff filed his Complaint. Summons were issued by the Court on September 29, 2010. Plaintiff delivered these pleadings to process server, Direct Results Legal Service (hereinafter "DRLS") instructing them to effect service upon Defendants via certified mail, return receipt requested.

On November 17, 2010, the undersigned counsel for Plaintiff was notified via e-mail communication by DRLS that Plaintiff's Complaint and accompanying pleadings were returned by the post office unclaimed.

The undersigned attorney and Plaintiff worked together by researching address information regarding Defendants and provided the information to DRLS with instructions to attempt service upon Defendants in person via hand delivery (see attached EXHIBIT A). DRLS then retained Dallas area process server, Stephen M. Troutz.

As stated in the attached *Affidavit of Diligence to Effect Personal Service* executed by Mr. Troutz (EXHIBIT B), attempts were made to effect service upon Defendants on numerous occasions without success.

Since it appears that the Defendants are avoiding service, Plaintiff seeks a sixty (60) day extension of time to serve the Defendants. Plaintiff also intends to file a Motion for Substituted Service.

WHEREFORE, Plaintiff requests that the Court grant a sixty (60) day extension of time to serve Defendants.

Respectfully submitted this 18<sup>th</sup> day of January, 2011.

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